

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**LYNN CROSBY GAMMILL and  
STEWART GAMMILL, III, CO-CONSERVATORS  
OF THE ESTATE, PROPERTY AND PERSON OF  
LUCIUS OLEN CROSBY GAMMILL** **PLAINTIFFS**

**VS.** **CIVIL ACTION NO. 2:10-cv-21**

**TRAVELERS INDEMNITY COMPANY OF CONNECTICUT;  
SOUTHGROUP INSURANCE AND FINANCIAL  
SERVICES, LLC; and JOHN DOES 1 THROUGH 10** **DEFENDANTS**

**MOTION TO STAY DISCOVERY**

**COMES NOW**, Defendant, Travelers Indemnity Company of Connecticut, (hereinafter referred to as “Defendant”), by and through its undersigned counsel and files this, its Motion to Stay Discovery and in support of same would respectfully show as follows:

1. On or about December 18, 2009, Plaintiff filed its Complaint in this action in the Circuit Court of Forrest County, Mississippi.
2. On December 21, 2009, Defendant was served with process in this action.
3. On December 21, 2009, with the Complaint in this matter, Defendant Travelers was also served with the Interrogatories, Requests for Admission, and Requests for Production of Documents.
4. On January 20, 2010, Defendant caused this matter to be removed to this Court from the Circuit Court of Forrest County, Mississippi.
5. Pursuant to Federal Rule of Civil Procedure 26 (d), no discovery may be had until the attorney conference required by Rule 26(f) and local rule 16.1(A). Inasmuch as the attorney conference required by the Rules has not yet occurred, Defendant requests that

discovery in this matter be stayed until the attorney conference as required by Rule 16.1, after which time discovery shall resume and Plaintiff may serve Defendant with discovery as contemplated by the Rules.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully requests that this Court enter its Order determining that all discovery previously filed in the Circuit Court in this matter be deemed moot and all discovery in this matter be stayed until such time as the Rule 16.1 attorney conference has been held. The Defendant specifically requests that this Court provide in the Order that Plaintiff shall be required to serve any discovery upon Defendant as required by the Rules after the Rule 16.1 conference has been held, and for any further relief to which it may be entitled.

**RESPECTFULLY SUBMITTED**, the 20<sup>th</sup> day of January 2010,

**WEBB, SANDERS & WILLIAMS, P.L.L.C.**  
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**DAN W. WEBB, MSB #7051**  
**ROECHELLE R. MORGAN, MSB #100621**

**BY: /s/Roechelle R. Morgan**  
**ROECHELLE R. MORGAN**

**CERTIFICATE OF SERVICE**

I, ROECHELLE R. MORGAN, one of the attorneys for Defendant, State Farm Fire and Casualty Company, do hereby certify that I have this date electronically filed the foregoing *Motion to Stay Discovery* with the Clerk of the Court using the ECF system which sent notification of such filing to the following ECF participants:

**Attorneys for Plaintiffs:**

**S. Robert Hammond, Jr. (MSB #3004)**  
**Attorney at Law**  
**711 Hardy Street**  
**P.O. Box 471**  
**Hattiesburg, MS 39403-0471**

**THIS** the 20<sup>th</sup> day of January 2010.

**/s/Roechelle R. Morgan**  
**ROECHELLE R. MORGAN**